

[Submitting Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. 19-md-02913-WHO

**STIPULATION AND [PROPOSED]
ORDER TO AMEND TRIBAL CASE
SCHEDULE**

This Document Relates to:

*Cheyenne and Arapaho Tribes of Oklahoma v.
Juul Labs, Inc. et al.*, Case No. 3:21-cv-05134

*Fond Du Lac Band of Lake Superior
Chippewa v. Juul Labs, Inc., et al.*, Case No.
3:20-cv-03995

Klamath Tribes v. Juul Labs, Inc., et al., Case
No. 3:20-cv-03987

Judge: Hon. William H. Orrick

The parties jointly stipulate and agree, subject to the Court's approval, to amend certain deadlines applicable in the above-captioned cases.

WHEREAS on January 24, 2022, the Court entered an order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 2794 (adopting the parties' proposed tribal case schedule and bellwether selection process).

WHEREAS on July 28, 2022, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 3363 (adopting the parties' proposed amended schedule).

WHEREAS on February 14, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 3794 (adopting the parties' proposed amended schedule).

WHEREAS on April 20, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 3933 (adopting the parties' proposed amended schedule).

WHEREAS on May 19, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 4038 (adopting the parties' proposed amended schedule).

WHEREAS on July 20, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 4069 (adopting the parties' proposed amended schedule).

WHEREAS on September 19, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 4139 (adopting the parties' proposed amended schedule).

WHEREAS on November 17, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 4155 (adopting the parties' proposed amended schedule).

WHEREAS on December 8, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 4170 (adopting the parties' proposed amended schedule).

WHEREAS, in order to accommodate the schedules of the parties and deponents, the parties have met and conferred and, subject to the Court's approval, the parties jointly propose a revised schedule for the deadlines below.

WHEREAS, subject to the Court's approval, the parties state as follows:

1. The parties agree that the deposition of Plaintiffs' expert, Dr. Martin Kovach, will take place on March 18, 2024;
2. To accommodate Dr. Kovach's deposition, the parties propose an extension of the deadline for Defendants' expert report(s) to March 28, 2024.
3. The parties' proposed revised schedule of deadlines for the three tribal bellwether cases is as follows:

Event	Current deadline	Proposed deadline
Depositions of Plaintiffs' Experts	March 12, 2024	March 18, 2024

Event	Current deadline	Proposed deadline
Defendants' Expert Reports ¹	March 12, 2024	March 28, 2024
Depositions of Defendants' Experts	June 7, 2024	June 7, 2024
Deadline to file Summary Judgment and <i>Daubert</i> Motions	June 11, 2024	July 3, 2024
Deadline to file Oppositions to Summary Judgment and <i>Daubert</i> Motions	August 16, 2024	September 6, 2024
Deadline to file Replies in support of Summary Judgment and <i>Daubert</i> Motions	September 6, 2024	October 1, 2024

The parties therefore respectfully request that the Court enter an Order establishing the above deadlines.

Dated: February 20, 2024

Respectfully submitted,

By: /s/ Lauren S. Wulfe

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¹ Plaintiffs reserve their right to seek submission of rebuttal expert reports following submission of Defendants' expert reports. Defendants dispute that rebuttal expert reports would be appropriate, and reserve all rights to contest any attempt by Plaintiffs to seek their submission.

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 No. 3:20-cv-03987

The Court hereby adopts the Parties' stipulations regarding deadlines in the above-referenced tribal bellwether cases as follows:

1. In all tribal bellwether cases, the deadlines will be extended as follows:

Event	Current deadline	Proposed deadline
Depositions of Plaintiffs' Experts	March 12, 2024	March 18, 2024

Event	Current deadline	Proposed deadline
Defendants' Expert Reports ¹	March 12, 2024	March 28, 2024
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Date: February __, 2024

HONORABLE WILLIAM H. ORRICK
United States District Judge

¹ Plaintiffs reserve their right to seek submission of rebuttal expert reports following submission of Defendants' expert reports. Defendants dispute that rebuttal expert reports would be appropriate, and reserve all rights to contest any attempt by Plaintiffs to seek their submission.

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

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